

REMARKS

Claims 1-11 are pending in this application after the amendment. Claim 12 has been canceled without prejudice to or disclaimer of the subject matter therein. Therefore, upon entry of the present amendment, claims 1-11 are subject to examination.

The Examiner objected to the Inventor Declaration. A new Declaration in compliance with 37 C.F.R. § 1.67(a) is enclosed herewith addressing this objection.

Claims 1-11 have been rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,216,675 to Bennett (“Bennett”) in view of U.S. Patent No. 5,445,130 to Brummer et al. (“Brummer”) and U.S. Patent No. 5,251,603 to Watanabe et al. (“Wantanabe”). The rejections are respectfully traversed as follows.

Independent claim 1 relates to a cooling device having an elongated body housed in a through cavity characterized in that said elongated body is made of polymeric material and is interference fitted in said through cavity. Although Bennett may disclose a cooler having a single pipe member 28 made of aluminum and comprising internal and external fins, Bennett does not teach or suggest an elongated body housed in the through cavity. The other cited references fail to make up for this deficiency of Bennett.

Moreover, Watanabe does not teach or suggest a body interference fitted within a pipe. In particular, Watanabe does not disclose that the fins are interference fitted. Absent an indication that the fins are interference fitted, one can infer that tube 17A, to which fins are secured, is locked by end plates 23A. Furthermore, fins 32 and tube 17A of Watanabe are a heat transfer means (see e.g. column 4, line 4), so they must be made of material having a suitable heat transfer coefficient. By contrast, the present invention provides an elongated body made of polymeric material which does not have any heat transfer capability. Thus, there is no suggestion and/or motivation in Watanabe to manufacture an elongated body in polymeric material.

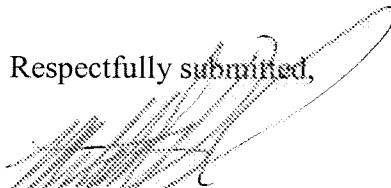
Further, Bennett fails to provide a motivation to combine and substitute the material of the elongated body with the polymeric material of Brummer. Bennett does not disclose an elongated body housed within the pipe so there is no suggestion to change the materials used in the fuel cooling device to provide a polymeric elongated body.

Accordingly, Applicant respectfully submits that independent claim 1 is patentable over Bennett in view of Brummer and Watanabe. Claims 2-11 include all of the features of claim 1 and are patentable over Bennett in view of Brummer and Watanabe for at least the above-stated reasons.

Conclusion

It is believed that all objections and rejections in the application have been addressed and that the present application is in condition for allowance. A favorable reconsideration and allowance of the pending claims is solicited. If necessary, the Commissioner is authorized in this and concurrent replies to charge payment (or credit any overpayment) to Deposit Account No. 50-2298 in the name of Luce, Forward, Hamilton & Scripps LLP, for any additional fees required under 37 CFR 1.16 or 1.17.

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Respectfully submitted,


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